

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CASSANDRA GESKE, on behalf of herself
and all others similarly situated,

Plaintiff,

v.

PNY TECHNOLOGIES, INC.,

Defendant.

Case No. 1:19-cv-05170
Honorable Lindsay Jenkins

DJAKARTA JACOBS, on behalf of herself
and all others similarly situated,

Plaintiff,

v.

PNY TECHNOLOGIES, INC.,

Defendant.

Case No. 1:21-cv-03354
Honorable Lindsay Jenkins

JOINT MOTION TO EXTEND FACT DISCOVERY

Defendant PNY Technologies Inc. and Plaintiffs Cassandra Geske and Djakarta Jacobs (the “Parties”), by and through the undersigned counsel, respectfully request a 50-day extension of time, up to and including March 3, 2024, of the Court’s fact discovery deadline. In support of this request, the Parties state as follows:

1. This matter has a fact discovery deadline of January 12, 2024. Dkt. 107. The Parties are due to submit a joint status report regarding depositions and expert discovery on December 1, 2023. *Id.*

2. On October 20, 2023, counsel for the Parties met and conferred by telephone to discuss scheduling depositions and next steps in the case. Counsel determined that, with written discovery now closed, the Parties shared a mutual interest in exploring settlement negotiations.

3. Since that time, the Parties have devoted their attention and resources to cooperatively discussing the case to determine whether and how to proceed with this lawsuit. This includes the exchange of an opening settlement demand and counteroffer, and discussion of the competing methodologies used to value this case.

4. The Parties ultimately agreed that formal mediation would advance the Parties' efforts to settle the matter. Given the limited timeframe and impending holiday season, the earliest date that the Parties were able to secure a private mediator is December 4, 2023.

5. Accordingly, the Parties respectfully request that the deadline to file their joint status report updating the Court on depositions and expert discovery be extended to December 15, 2023.

6. The Parties also respectfully request an extension of the fact discovery deadline to March 3, 2024. This will allow the Parties to continue focusing their current efforts on arriving at a negotiated settlement, while still ensuring adequate time for the parties to coordinate depositions and expert discovery in the event that the Parties are not able to mediate successfully.

7. This motion is brought in good faith and not to unnecessarily delay the proceedings or for any other improper purpose. Should the Parties fail to reach a negotiated settlement, they will continue their diligent efforts to complete fact discovery and move forward with the litigation.

Dated: November 29, 2023

Respectfully submitted,

/s/ Ronald Y. Rothstein

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CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of November 2023, I caused a true and correct copy of the foregoing to be filed electronically with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to all parties and counsel of record.

/s/ Sean H. Suber